

Fill in this information to identify the case:

Debtor 1 Rose Rita Mares

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: District of New Mexico

Case number 17-11235-t13

Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. BANK TRUST NATIONAL ASSOCIATION,  
AS TRUSTEE OF THE LODGE SERIES IV TRUST

Court claim no. (if known): 6

Last 4 digits of any number you use to  
identify the debtor's account: 9 0 9 2

Date of payment change:  
Must be at least 21 days after date  
of this notice 12/01/2019

New total payment: \$ 755.03  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment**

1. Will there be a change in the debtor's escrow account payment?

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 219.14 New escrow payment: \$ 218.41

**Part 2: Mortgage Payment Adjustment**

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change**

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1

**Rose Rita Mares**

First Name

Middle Name

Last Name

Case number (if known) **17-11235-t13****Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**/s/ Michelle R. Ghidotti-Gonsalves**

Signature

Date **11/07/2019**

Print: **Michelle R. Ghidotti-Gonsalves**

First Name

Middle Name

Last Name

Title **Authorized Agent**Company **Ghidotti | Berger LLP**Address **1920 Old Tustin Avenue**

Number

Street

**Santa Ana**

City

**CA**

State

**92705**

ZIP Code

Contact phone **(949) 427-2010**Email **mghidotti@ghidottiberger.com**



314 S. Franklin Street, 2nd Floor  
P.O. Box 517  
Titusville, PA 16354  
1-800-327-7861  
<https://myloanweb.com/BSI>

## Annual Escrow Account Disclosure Statement

ACCOUNT NUMBER: Redacted

Redacted

DATE: 10/29/19

ROSE R MARES  
1101 CASSANDRA ST SW  
ALBUQUERQUE, NM 87121

PROPERTY ADDRESS  
1101 CASSANDRA ST SW  
ALBUQUERQUE, NM 87121

PLEASE REVIEW THIS STATEMENT CLOSELY - YOUR MORTGAGE PAYMENT MAY BE AFFECTED. THIS STATEMENT TELLS YOU OF ANY CHANGES IN YOUR MORTGAGE PAYMENT, ANY SURPLUS REFUNDS, OR ANY SHORTAGE YOU MUST PAY. IT ALSO SHOWS YOU THE ANTICIPATED ESCROW ACTIVITY FOR YOUR ESCROW CYCLE BEGINNING 12/01/2019 THROUGH 11/30/2020.

### ----- ANTICIPATED PAYMENTS FROM ESCROW 12/01/2019 TO 11/30/2020 -----

HOMEOWNERS F/P	\$1,125.30
COUNTY TAX	\$1,495.68
TOTAL PAYMENTS FROM ESCROW	\$2,620.98
MONTHLY PAYMENT TO ESCROW	\$218.41

### ----- ANTICIPATED ESCROW ACTIVITY 12/01/2019 TO 11/30/2020 -----

ANTICIPATED PAYMENTS				ESCROW BALANCE COMPARISON	
MONTH	TO ESCROW	FROM ESCROW	DESCRIPTION	ANTICIPATED	REQUIRED
			STARTING BALANCE -->	\$2,856.30	\$1,092.11
DEC	\$218.41	\$747.84	COUNTY TAX	\$2,326.87	\$562.68
JAN	\$218.41			\$2,545.28	\$781.09
FEB	\$218.41			\$2,763.69	\$999.50
MAR	\$218.41			\$2,982.10	\$1,217.91
APR	\$218.41			\$3,200.51	\$1,436.32
MAY	\$218.41	\$747.84	COUNTY TAX	\$2,671.08	\$906.89
JUN	\$218.41			\$2,889.49	\$1,125.30
JUL	\$218.41			\$3,107.90	\$1,343.71
AUG	\$218.41	\$1,125.30	HOMEOWNERS F/P	L1-> \$2,201.01	L2-> \$436.82
SEP	\$218.41			\$2,419.42	\$655.23
OCT	\$218.41			\$2,637.83	\$873.64
NOV	\$218.41			\$2,856.24	\$1,092.05

### ----- DETERMINING THE SUFFICIENCY OF YOUR ESCROW BALANCE -----

IF THE ANTICIPATED LOW POINT BALANCE (L1) IS GREATER THAN THE REQUIRED BALANCE (L2), THEN YOU HAVE AN ESCROW SURPLUS. **YOUR ESCROW SURPLUS IS \$1,764.19.**

### CALCULATION OF YOUR NEW PAYMENT

PRIN & INTEREST	\$536.62
ESCROW PAYMENT	\$218.41
<b>NEW PAYMENT EFFECTIVE 12/01/2019</b>	<b>\$755.03</b>

YOUR ESCROW CUSHION FOR THIS CYCLE IS \$436.82.

\*\*\*\*\* Continued on reverse side \*\*\*\*\*



Our records indicate that you have filed for Bankruptcy protection. As a result of your Bankruptcy filing, escrow account deficiencies prior to your filing date have been removed from calculation of your analysis, and they are now reflected as amounts due within your pre-petition arrearage. This Escrow Analysis Statement was prepared under the assumption that all escrow payments have been made in the amount required each month. The surplus funds indicated above are not an accurate reflection of your escrow account because no surplus funds will exist until all amounts are received towards your pre-petition arrearage.

\*\*\*\*\* Continued from front \*\*\*\*\*

**ACCOUNT HISTORY**

THIS HISTORY STATEMENT COMPARES YOUR PRIOR ANALYSIS CYCLE PROJECTED ESCROW ACTIVITY TO THE ACTUAL ESCROW ACTIVITY BEGINNING 12/01/2018 AND ENDING 11/30/2019. IF YOUR LOAN WAS PAID-OFF, ASSUMED OR TRANSFERRED DURING THIS PRIOR CYCLE, OR THE COMPUTATION YEAR IS BEGING CHANGED, ACTUAL ACTIVITY STOPS AT THAT POINT. THIS STATEMENT IS INFORMATION ONLY AND REQUIRES NO ACTION ON YOUR PART.

YOUR PAYMENT BREAKDOWN AS OF 12/01/2018 IS:

PRIN & INTEREST	\$536.62
ESCROW PAYMENT	\$219.14
BORROWER PAYMENT	\$755.76

PAYMENTS TO ESCROW			PAYMENTS FROM ESCROW			ESCROW BALANCE	
MONTH	PRIOR PROJECTED	ACTUAL	PRIOR PROJECTED	ACTUAL	DESCRIPTION	PRIOR PROJECTED	ACTUAL
SEP	\$0.00	\$694.50 *			STARTING BALANCE	\$0.00	\$0.00
OCT	\$0.00	\$438.28 *		\$1,125.30 *	HOMEOWNERS F/P	\$0.00	\$694.50
	\$0.00	\$1,132.78	\$0.00	\$1,125.30			\$7.48

UNDER FEDERAL LAW, WHEN YOUR ACTUAL ESCROW BALANCE REACHED THE LOWEST POINT, THAT BALANCE WAS TARGETED NOT TO EXCEED 1/6TH OF THE ANNUAL PROJECTED DISBURSEMENTS. YOUR LOAN DOCUMENTS OR STATE LAW MAY SPECIFY THAT YOUR LOWEST BALANCE MUST BE A LOWER AMOUNT THAN THE FEDERAL LAW ALLOWS.

UNDER YOUR MORTGAGE CONTRACT OR STATE OR FEDERAL LAW, YOUR TARGETED LOW POINT BALANCE (T) WAS \$0.00. YOUR ACTUAL LOW POINT ESCROW BALANCE (A) WAS \$0.00.

BY COMPARING THE ANTICIPATED ESCROW TRANSACTIONS WITH THE ACTUAL TRANSACTIONS YOU CAN DETERMINE WHERE A DIFFERENCE MAY HAVE OCCURRED. AN ASTERISK (\*) INDICATES A DIFFERENCE IN EITHER THE AMOUNT OR DATE OF THE PROJECTED ACTIVITY THAT HAS NOT YET OCCURRED DUE TO THE DATE OF THIS STATEMENT.

IF THERE ARE NO PRIOR PAYMENTS TO OR FROM ESCROW SHOWN, THERE WAS NO PRIOR PROJECTION TO WHICH THE ACTUAL ACTIVITY COULD BE COMPARED.

**Determining your Shortage or Surplus****Shortage:**

Any shortage in your escrow account is usually caused by one the following items:

- An increase, if any, in what was paid for insurance and/or taxes from your escrow account.
- A projected increase in taxes for the upcoming year.
- The number of months elapsed from the time of these disbursements to the new payment effective date.

Shortages are divided evenly of the next twelve months. To reduce the increase in your monthly payment, the shortage can be paid either partially or in full.

**Surplus:**

A surplus in your escrow account is usually caused by one the following items:

- The insurance/taxes paid during the past year were lower than projected.
- A refund was received from the taxing authority or insurance carrier.
- Additional funds were applied to your escrow account.

If your surplus is \$50.00 or greater and your loan was contractually current at the time when the analysis was run or calculated, a check will be sent to you. If your surplus is less than \$50.00, the funds will be retained in your escrow account.

1 **CERTIFICATE OF SERVICE**

2 On **November 7, 2019**, I served the foregoing documents described as **NOTICE OF**  
3 **MORTGAGE PAYMENT CHANGE** on the following individuals by electronic means  
4 thorough the Court's ECF program:  
5

6 **COUNSEL FOR DEBTOR**

7 Ronald E Holmes  
8 rholmes@davismiles.com

9 **US TRUSTEE**

United States Trustee

10 **CHAPTER 13 TRUSTEE**

11 Tiffany M. Cornejo

12 I declare under penalty of perjury under the laws of the United States of America  
13 that the foregoing is true and correct.

14 /s/ Enrique Alarcon

15 Enrique Alarcon

16 On **November 7, 2019**, I served the foregoing documents described as **NOTICE OF**  
17 **MORTGAGE PAYMENT CHANGE** on the following individuals by depositing true copies  
18 thereof in the United States mail at Santa Ana, California enclosed in a sealed envelope, with  
19 postage paid, addressed as follows:

20 **DEBTOR**

21 Rose Rita Mares  
22 7600 Autumn Breeze SW  
23 Albuquerque, NM 87121

24 **SPECIAL COUNSEL**

25 Brian Grayson  
26 Grayson Law Office  
27 PO Box 95081  
28 Albuquerque, NM 87199-5081

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

/s/ Enrique Alarcon

Enrique Alarcon